

PATENT



Att. File No. P24,386A USA

3/24/02
#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of
Michael O'Toole, Bradley Levin,
Philip Edwards, Lee Xu and Joseph Vandenberg
Application No. 10/034,792
Filed October 29, 2001

Group No.: 2872
Examiner: Not Yet
Assigned

Tranceiver for LC Connector
Attorney Docket No. P24,386A USA

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on July 8, 2002 as first class mail service under 37 CFR 1.10, in an envelope addressed to: Attn: Latrice Bond, Office of Petitions, Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

Date: July 8, 2002

Stephen J. Driscoll

Attn: Latrice Bond
Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, DC 20231

DECLARATION UNDER 37 C.F.R. § 1.47(a) AND 35 U.S.C. § 116

Dear Sir:

I, Stephen J. Driscoll, am an attorney for the Applicants, have reviewed the file for the present application, have discussed the file contents with Mary Bertolino, a paralegal from Synnestvedt & Lechner LLP working on this file, and have satisfied myself that upon information and belief, the following statements are true and accurate, and thus declare as

follows:

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OFFICE OF PETITIONS

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1. Messrs. Bradley Levin and Joseph Vandenberg are co-inventors named in the above-identified application and are party to Intellectual Property Agreements (the "Agreements") with The Whitaker Corporation.

2. Pursuant to Paragraph (4) of the Agreements, Messrs. Levin and Vandenberg have an obligation to assign to The Whitaker Corporation, and its successors in interest, any and all patent rights they may have in and to the above-identified patent application, and to execute and deliver all proper documents necessary and attendant to domestic and foreign patent applications of The Whitaker Corporation.

4. Several attempts have been made to contact Messrs. Levin and Vandenberg by correspondence and by telephone to have them execute a Declaration and Power of Attorney for the above-identified application to The Whitaker Corporation pursuant to Paragraph (4) of the Agreements.

5. On February 28, 2002, Messrs. Levin and Vandenberg were sent a Declaration and Power of Attorney document to their last known addresses via Federal Express. No response from them has ever been received.

6. On June 4, 2002 and June 13, 2002, Messrs. Levin and Vandenberg were sent urgent reminders via Federal Express. No response from them has ever been received.

7. On June 25, 2002, an attempt was made to contact Messrs. Levin and Vandenberg by telephone. Detailed voice mail messages were left, and a request was made that they return the calls. Return phone calls have not been received.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

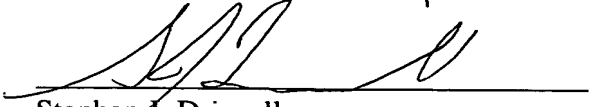
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United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Declaration is directed.

Respectfully submitted,

Dated: July 8, 2002



Stephen J. Driscoll
Attorney for Applicants
Registration No. 37,564

SJD:mdb

Enclosures

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